

MANDATE

UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT
THURGOOD MARSHALL U.S. COURT HOUSE
40 FOLEY SQUARE
NEW YORK 10007

EDNY/BKLY
02-cr-589
Dearie

Thomas Asreen
ACTING CLERK

Date: 4/5/07
Docket Number: 06-5165-cr
Short Title: USA v. Elgindy
DC Docket Number: 02-cr-589
DC: EDNY (BROOKLYN)
DC Judge: Honorable Raymond Dearie

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT, EDNY.

★ APR 19 2007 ★

BROOKLYN OFFICE

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in the City of New York, on the 5th day of April, two thousand seven.

United States of America,
Appellee,

v.

Jeffrey Royer
Defendant-Appellant,



A scheduling order in accordance with the *Revised Second Circuit Plan to Expedite the Processing of Criminal Appeals* having been entered therein, requiring the record on appeal, the appellant's brief and the joint appendix to be filed on or before the dates stated on the scheduling order, and also providing that in the event of default by the appellant the appeal shall be dismissed forthwith, and it appearing that the appellant has so defaulted,

Upon consideration of the appeal defendant-appellant, Jeffrey Royer, it is **ORDERED** that the appeal be, and it hereby is **DISMISSED**. Any motions pending prior to the entry of this order of dismissal are deemed **MOOT**.

This order may not be used as the basis for terminating the defendant-appellant's release pending appeal until 30 days have elapsed from the date of the order.

For the Court,
Thomas Asreen, Acting Clerk

Ralph Obas
By: Ralph Obas
Deputy Clerk

A TRUE COPY
Thomas W. Asreen, Acting Clerk
by *Ralph Obas*
DEPUTY CLERK

Certified: 4-5-07